

**STATE OF ILLINOIS
COMMERCE COMMISSION
PUBLIC UTILITIES
MINUTES OF AUGUST 15, 2006
PRE-BENCH MEETING**

Pursuant to Section 2.02 of the Open Meetings Act, a Pre-Bench Meeting of the Commerce Commission was convened by Chairman Box at 1:30 p.m. on August 15, 2006 in the Springfield Office of the Commission. Present were: Commissioners Ford, Lieberman, Wright and Chairman Box in Springfield. Commissioner O'Connell-Diaz was present in the Chicago Office.

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| (1) | 05-0697 | Illinois Bell Telephone Company
Proposed elimination of wholesale performance plan tariffs. (Tariffs filed September 19, 2005) |
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Topics of discussion included: Commissioner O'Connell-Diaz circulated proposed language changes; she noted her revisions do not change the substantive portion of the Order, but reaffirm the Commission's decision in a previous docket.

Commissioner O'Connell-Diaz made a Motion to adopt her proposed language changes. Commissioner Ford seconded the Motion. All present voted aye on the Motion.

All present voted aye on the Order Approving Request as amended from the Bench.

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| (2) | 06-0027 | Illinois Commerce Commission
-vs-
Illinois Bell Telephone Company
Investigation of specified tariffs declaring certain services
to be competitive telecommunications services. |
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Topics of discussion included: ALJ Hilliard gave an overview of AT&T's Petition for Interlocutory Review; AT&T had submitted evidence containing new data in surrebuttal testimony; since the parties had no opportunity to reply to it, this put them at a disadvantage; the Attorney General's Office ("AG") filed a Motion to Strike specific lines in the testimony that referenced the new data; ALJ Hilliard agreed and struck the lines requested; he felt this information could have been included in the original proposal; AT&T filed a Petition for Interlocutory Review pointing out that the AG had this information shortly before they filed rebuttal testimony, but chose not to use it; ALJ Hilliard reiterated this was not made an issue in support of the joint proposal by AT&T or CUB, and no evidence was presented that such data would be updated; he recommended denying the Petition for Interlocutory Review; in its Brief on Exceptions, AT&T filed a request for Oral Argument.

While the Commission agreed there should be a deadline of updating on both sides, they preferred better information for making a final decision; they felt Oral Argument would help in determining what was correct for all parties; Oral Argument was scheduled for August 24 at 10:30 a.m. in the Chicago office. This item will be considered further at the August 30th Bench meeting.

- (3) FERC Dkt. No. EL05-121-000: PJM Transmission Rate Design - Brief on Exceptions of the Illinois Commerce Commission

Commissioner Lieberman made a Motion to go into closed session. Commissioner Wright seconded the Motion. All present voted aye on the Motion.

Upon return to open session, **Commissioner Ford made a Motion to accept Staff's Brief on Exceptions Out of Time to be filed with the FERC. Commissioner Lieberman seconded the Motion. All present voted aye on the Motion.**

The meeting was adjourned.